

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: CHAPTER 13
CHRISTA MARIA GROSS :
Debtor : BK. No. 14-11801 AMC

STIPULATION IN SETTLEMENT OF MOTION FOR RELIEF
FROM THE AUTOMATIC STAY

It is hereby stipulated by and between Phelan Hallinan Diamond & Jones, LLP, counsel for the Movant, **JPMORGAN CHASE BANK, NATIONAL ASSOCIATION**, and CAROL B. MCCULLOUGH, Esquire, counsel for the Debtor, as follows:

1. The Automatic Stay as provided by Section 362 of the Bankruptcy Code shall remain in full force and effect conditioned upon the terms and conditions set forth herein.

2. This Stipulation pertains to the property located at **221 MARILYN DRIVE, HATBORO, PA 19040**, mortgage account ending with **"6086"**.

3. The parties agree that the total post-petition arrearage consists of one (1) monthly payment for the month of October 2014 at \$83.52 each; one (1) monthly payment for the month of November 2014 at \$86.30 each; one (1) monthly payment for the month of December 2014 at \$83.52 each; one (1) monthly payment for the month of January 2015 at \$86.31 each; one (1) monthly payment for the month of February 2015 at \$86.31; one (1) monthly payment for the month of March 2015 at \$77.95 each; less Debtor's suspense in the amount of \$15.45; resulting in the total post-petition arrearage amount of \$488.46.

4. On or before February 28, 2017, Debtor shall tender funds in the amount of \$488.46, curing the above post-petition delinquency.

5. All subsequent monthly payments and late charges shall be due in accordance with the terms of the Mortgage. All payments made pursuant to this Stipulation shall be by certified check or money order payable to **JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, PO BOX 24785, COLUMBUS, OH 43224-0785**.

6. If Debtor provides sufficient proof (front and back copies of checks or money orders) of payments made, but not already credited, the account will be adjusted accordingly.

7. Should the Debtor fail to make any of the above captioned payments, or if any regular monthly mortgage payment commencing after the cure of the post-petition delinquency is more than fifteen (15) days late, Movant shall send Debtor and counsel a written Notice of Default of this Stipulation. If the default is not cured within ten (10) days of the date of the Notice, counsel shall file a Certification of Default with the Court and the Court shall enter an Order granting relief from the Automatic Stay waiving FED. R. Bankr. P. 3002.1 and waiving Rule 4001 (a)(3) so that the Relief Order is immediately effective and enforceable.

8. In the event the Debtor converts to a Chapter 7 during the pendency of this bankruptcy case, the Debtor shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtor fail to bring the loan contractually current, Movant shall send Debtor and counsel a written Notice of Default of this Stipulation. If the default is not cured within ten (10) days of the date of the Notice, counsel shall file a Certification of Default with the Court and the Court shall enter an Order granting relief from the Automatic Stay waiving FED. R. Bankr. P. 3002.1 and waiving Rule 4001 (a)(3) so that the Relief Order is immediately effective and enforceable.


9. Debtor's tendering of a check to **JPMORGAN CHASE BANK, NATIONAL ASSOCIATION**, which is subsequently returned due to insufficient funds in the account upon which the check is drawn, shall not constitute payment as the term is used in this Stipulation.

10. The parties stipulate that Movant shall be permitted to communicate with the Debtor and Debtor's Counsel to the extent necessary to comply with applicable non-bankruptcy law.


11. This stipulation survives any loan modification agreed to and executed during the instant bankruptcy. If any regular monthly mortgage payment due after the execution of a loan modification is more than fifteen (15) days late, Movant shall send Debtor and counsel a written Notice of Default of this Stipulation. If the default is not cured within ten (10) days from the date of the Notice, counsel may file a Certification of Default with the Court and the Court shall enter an Order granting relief from the Automatic Stay and waving Rule 4001(a)(3) so that Relief Order is immediately effective and enforceable.

12. The parties agree that a facsimile signature shall be considered an original signature.

Date: January 31, 2017



Jay B. Jones, Esq.
Jerome Blank, Esq.
Andrew L. Spivack, Esq.
James P. Shay, Esq.
Michael Dingerdissen, Esq.
Attorneys for Movant



CAROL B. MCCULLOUGH, ESQUIRE
Attorney for Debtor

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IN RE:

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Debtor

: CHAPTER 13

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: BK. No. 14-11801 AMC

ORDER

AND NOW, this 13th day of March, 2017, it is hereby **ORDERED** that the corresponding Stipulation is hereby approved, shall be, and is hereby made an Order of this Court.



**ASHELY M. CHAN,
Bankruptcy Judge**

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